

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

This Reply does not add, change and/or delete claims in this application. Claims 1-25 are pending in this application and stand rejected over the prior art of record. All of the grounds of rejection are respectfully traversed.

Independent Claims, 1, 17, 21 and 22

Each of the independent claims, including claims 1, 17, 21 and 22, require that at least two keys be depressed simultaneously to release the keypad inlay from the housing. Contrary to the Examiner's assertion, it would not have been obvious to modify *Spence* in view of *Miyashita* and *Ditzik* to arrive at the claimed invention.

The structure and configuration of the relevant portions of these references are sufficiently different so as to prevent the combination of features suggested by the present invention. The keyboard section 16 taught in *Ditzik* includes an entire keyboard and keyboard housing, both of which are located between two "cover sections" 8, 9 which are arranged in series. The removable operation unit 105 of *Miyashita* includes keys and a surrounding housing which are removably attached to a portable telephone. In contrast, the removable bezel 16 of *Spence et al.* is, as the name suggests, a planar bezel that covers the keypad 16. Assuming, *arguendo*, that these references disclosed all of the features of claims 1, 17, 21 and 22, there is no teaching of how *Spence et al.* could be modified to enable release thereof by a key. Therefore, claims 1, 17, 21 and 22 are patentable over the prior art of record.

Claims 2-16 depend from claim 1, claims 18-20 depend from claim 17 and claims 23-25 depend from claim 22. Therefore these claims are also patentable over the prior art for the reasons set forth above. Therefore, withdrawal of the prior art rejection of these claims is also respectfully requested.

Claim 2

The Examiner asserts that *Ditzik* discloses that each of the two keys that must be simultaneously depressed to release the housing “actuates an electronic switch when depressed,” as required by claim 2. *Ditzik* contains no such teaching. In support of this argument, the Examiner refers to column 7, lines 14-24 of *Ditzik*. This portion of *Ditzik* discloses that cover section 9 could be a battery and that connection means could be included that enable connection of electrical wires between the cover section 9 and adjacent section(s) (e.g., cover section 8 or keyboard section 16). There is no disclosure or suggestion of a relationship between the push tabs 5 and the connection of electrical wires, much less an electrical switch. Therefore, *Ditzik* does not teach or suggest the limitations of claim 2, which further patentably defines over the prior art of record. Withdrawal of this ground of rejection is respectfully requested.

Claims 7 and 23

Claims 7 and 23 each specify that the keys used to release the keypad inlay comprise the SEND and END keys. The Examiner asserts that *Helin et al.* teaches this limitation because it discloses that keys on the keypad can provide “multiple functions.” Applicant respectfully disagrees.

Helin et al. discloses keys that can be assigned “alternative meanings,” meaning that they can be used to perform different software/electronic functions. For example, pressing the END key in one operational state can terminate a call and pressing the END key in another operational state can clear an entry. See *Helin et al.*, column 4, lines 28-45. The teachings of *Helin et al.* are qualitatively different than the subject matter of claims 7 and 23. In *Helin et al.*, the SEND and END keys can only be assigned alternative electronic/software functions. In contrast, the SEND and END keys, as defined in Claims 7 and 23, perform both a software function and a mechanical function, i.e. depressing latches that release the keypad inlay. This is not taught or suggested by *Helin et al.* Therefore, claims 7 and 23 are patentable over the prior art of record and allowance thereof is respectfully requested.

Claims 10, 13, 20 and 25

Claims 10, 13, 20 and 25 were amended in the Reply dated April 26, 2006 to specify that a non off-center depression of the buttons (in claims 10 and 20) for keys (in claims 13 and 25) will not release the keypad inlay. In addition, Applicants set forth arguments on this issue on page 15 of the Reply dated April 26, 2006. This feature is not taught or suggested by the prior art of record. Accordingly, Applicants respectfully request withdrawal of the rejection of Claims 10, 13, 20 and 25.

In the pending Office Action, the Examiner simply repeats the identical rejections of claims 10, 13, 20 and 25 from the Office Action dated January 26, 2006. The Examiner did not address the amendments to claims 10, 13, 20 and 25, which clearly define these claims of the prior art of record, and did not respond to the Applicants' arguments on this issue. Should the Examiner persist in this ground of rejection, Applicants respectfully requests that a non-final action be issued due to the Examiner's failure to respond to Applicants' amendments and arguments in the Reply dated April 26, 2006. *MPEP § 707.07*.

Claim 14

As explained in the Reply dated April 26, 2006, claim 14 requires that the "means for securing the keypad inlay to the front side of the housing are not visible when the keypad inlay is attached to the house." In that Reply, Applicants explained in detail why the means for securing the keypad inlay to the front side of the housing are in fact visible in *Mark et al.* See pages 15 and 16 of Reply dated April 26, 2006. In the pending action, the Examiner simply repeats the rejection of claim 14 from the Office Action dated January 26, 2006, without responding to Applicant's arguments in the Reply dated April 26, 2006.

Applicant repeats its traverse of the rejection of Claim 14. Should the Examiner maintain this ground of rejection in a subsequent Office Action, Applicant respectfully requests that the action be non-final due to the Examiner's failure to respond to Applicants' arguments. *MPEP § 707.07*.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if a telephone interview would advance prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No 50-3841. If proper payment is not enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-3841. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-3841.

Respectfully submitted,

By: /Damon A. Neagle/

Damon A. Neagle
Attorney for Applicant(s)
Reg. No. 44,964

Date: August 10, 2006

DESIGN IP, P.C.
5100 W. Tilghman Street, Suite 205
Allentown, PA 18104
Telephone: (610) 396-4900
Facsimile: (610) 680-3312